

TURNER LAW FIRM, LLC

**BY: ANDREW R. TURNER, ESQ.**

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**ART 8574**

In re  NEW ENGLAND MOTOR FREIGHT INC., et al  Debtors	UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY  Case No. 19-12809 (JKS)  Chapter 11
Plaintiffs  NEW ENGLAND MOTOR FREIGHT INC., et al  v.  Defendants  PARTIES LISTED ON EXHIBIT A TO THE COMPLAINT and JOHN DOES 1- 100	Adversary No. 19-1119 (JKS)

Statement of Stay Relief Following Mediation

I represent Protective Insurance Company in the above captioned bankruptcy matters. This is an Unsuccessful Mediation Filing pursuant to the Protocol in the Confirmed Plan of Reorganization. In the attached letter stipulation executed by counsel, Rita Alvarado ("Claimant") and Debtors New England Motor Freight, Inc. stipulate that they engaged in good faith

mediation which did not result in a resolution of the Claimants' auto liability claim. Therefore, in accordance with the Auto Liability Claims Protocol Settlement Agreement, this Unsuccessful Mediation Statement is being filed on their behalf.

Dated: September 23, 2020

/s/Andrew R. Turner  
ANDREW R. TURNER

September 23, 2020

Honorable John K. Sherwood  
United States Bankruptcy Court  
District of New Jersey  
Martin Luther King, Jr. Federal Building  
50 Walnut Street  
Newark, NJ 07102

**Re: In re: New England Motor Freight, Inc., et al.**  
**Case No.: 19-12809 (JKS)**

Dear Judge Sherwood:


In accordance with the Auto Liability Claims Protocol Settlement Agreement, our respective offices participated in good faith in a mediation on September 10, 2020 with agreed upon mediator Joseph L. Erlich of National Arbitration and Mediation ("NAM") regarding the automobile liability claim of Rita Alvarado against the debtor New England Motor Freight, Inc. ("NEMF") and Javier Correafrance ("Correafrance"), one of its drivers. The mediation proved unsuccessful, and we hereby stipulate for the Court that said mediation did not result in a settlement.

Prior to NEMF filing its bankruptcy petition, Alvarado had commenced a personal injury action against NEMF and Correafrance in the Supreme Court of the State of New York, Kings County which was then removed to United States District Court for the Eastern District of New York and placed before the Honorable Eric R. Komitee and the Honorable Robert M. Levy (*Alvarado v. New England Motor Freight, Inc, et al.*, 18-cv-2027-EK-RML (E.D.N.Y)). As per the Bankruptcy Plan, once two business days have passed from the filing of an Unsuccessful Mediation Filing, we will notify the Eastern District of New York that any stay related to this bankruptcy is lifted, and we will continue to litigate before District Judge Komitee and Magistrate Judge Levy.


Should the Court require anything further, please do not hesitate to contact the undersigned. Thank you.

Respectfully submitted,

**THE ROSATO FIRM, PC**

  
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